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DATE: September 28, 2005

TO: Commissioner for Patents
Attention: Examiner P. Hampton Hightower

COMPANY: United States Patent and Trademark Office
Washington, DC 20231

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NUMBER OF PAGES INCLUDING THIS COVER SHEET: 6

COMMENTS: Supplemental Information Disclosure

- ☒ RCE
☒ Information Disclosure
☒ Charge to Deposit Account 10-0750/ETH1635/MSG

Applicants : Arindam Datta et al.
Serial No. : 10/059,637
Filed : January 29, 2002
For : Biodegradable Stent

Docket No.: ETH 1635
Art Unit: 3731
Examiner: Uyen T. Ho

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Printed Name: Ceceile Solomon

Signature: _____

Date: September 28, 2005

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SEP 28 2005

Docket No. ETH1635

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Arindam Datta et al. Confirmation No.: 7724
Serial No. : 10/059,637 Art Unit: 3731
Filed : January 29, 2002 Examiner: Uyen T. Ho
For : Biodegradable Stent

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being faxed to the
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(Date of Deposit)

Matthew S. Goodwin

(Name of applicant, assignee, or Registered Representative)

/Matthew S. Goodwin/

(signature)September 28, 2005

(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure
Statement mailed on November 17, 2004.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37
C.F.R. §§1.97-1.98, information relating to the above-
identified application is hereby disclosed. Inclusion of
information in this statement is not to be construed as an
admission that this information is material as that term is
defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the
patentability of the claimed invention over any of the
information provided herewith, and/or to prove that this

information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final

Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☒ There are no listed references which are not in the English language.

☐ The relevance of those listed references which are not in the English language is as follows:

☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed November 17, 2004.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/ETH1635/WKW. This form is submitted in triplicate.

Respectfully submitted,

/Matthew S. Goodwin/

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DATED: September 28, 2005

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PTO/SB/03A (03-00)

Approved for use through 10/31/2002. OMB 0851-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 1 of 1	Substitute for form 1449A/PTO	Confirmation Number	7724
		Application Number	10/059,637
		Filing Date	01/29/2002
		First Named Inventor	Arindam Datta
		Group Art Unit	3731
		Examiner Name	Uyen T. Ho
		Attorney Docket Number	ETH-1635

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		6,338,739 B1	A	Datta et al.	01-16-2002	
		6,573,312 B1	A	Datta et al.	03-25-2003	
		6,423,082 B1	A	Datta et al.	06-16-1998	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ³
		Office ⁴	Number ⁴	Kind Code ⁵				

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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